

REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments and the arguments set forth below. Claims 24-45 were previously pending in the application. Claims 32, 39 and 40 have been amended by the above amendment. Claim 44 has been canceled. Claims 24-43 and 45 are still pending in the application.

Claim Objections

Within the Office Action, Claim 32 has been Objected to because of informalities. Specifically, within the Office Action it is stated that line 3, "couples with" should be changed to --coupled to-- and line 4, "into" should be changed to --to form-- and line 5, "that removably couples" should be changed to --removably coupled--.

Claim 32 has been amended to recite --coupling to-- instead of "coupling with", --removably coupled-- instead of "removably couples" and --support removably coupled-- instead of "support that removably couples".

Claims Rejected under 35 U.S.C. §112

Within the Office Action, Claims 39-45 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Specifically, it is stated within the Office action that Claim 39 recites that each of the rail sections are connected to one another and that this language is misleading and confusion, because each of the rails are actually connected by corner connectors. Claim 39 recites "a rectangular frame including a first rail section that is configured to be detachably coupled to a second and a third rail section, wherein the second and the third rail sections are configured to be detachably coupled to a fourth rail section." It is clear from the recitation of a rectangular frame that the parts of the frame are coupled to corners. The limitation of coupling through corner connectors was recited in the subsequent dependent Claim 40. To clarify, Claim 40 has been amended to recite that "the first rail section is configured to be detachably coupled to the second and the third rail section through corner connectors wherein the second and the third rail sections are configured to be detachably coupled to the fourth rail section through corner connectors and, wherein each of the corner connectors have horizontal holes for receiving ends of the each rail section.

In the Office Action it is also stated that the Claim 44 recites "flexible", and should recite "rectangular". The claim 44 has been canceled. For at least these reasons, the applicants respectfully submit that the rejections under 35 U.S.C. §112 should be withdrawn.

5 **Rejections Under 35 U.S.C. § 103(a)**

Within the Office Action, Claims 24-45 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,003,649 to Kelly (hereafter "Kelly") in view of U.S. Patent No. U.S. 2,670,478 to Gilfillan (hereafter "Gilfillan"). Within the Office Action it is stated that Kelly teaches a nestable cot having a web of material on which the occupant of the cot
10 can lie. The web is adjacent to the frame which includes a plurality of rods one of which extends along each side of the web. The material along each side and end of the web is folded over on itself to form an open selvage with the two layers sewn together to form sleeves. End connectors are provided for connecting respective ends of adjacent rods to interconnect rods and complete the frame. Each connector includes an elongated housing having an opening at each end in
15 which respective ends of adjacent rods are received. The cot is supported in an elevated position by a pedestal formed intermediate the length of the housing. A pad is attachable to the bottom of the pedestal to provide a greater height to the pedestal and create greater clearance between the cots when stacked.

Within the Office Action it is further stated that Kelly does not teach that the web of
20 material includes a detachable fastener for removal and selectively coupling the material to the frame, but that Gilfillan teaches a collapsible cot having a frame with a plurality of tubes which are joined by corner pieces including legs and caps. The material on which a person is to lie is heavy textile fabric, like canvas. At each side and one end, seams are sewn by folding the canvas over itself to form channels in which the tubes are received. The other end includes grommets and
25 is attachable to the associated end tube by a sash cord. Within the Office Action it is further stated that this fastening means is not a hook and loop type, however is just as conventional. Moreover, on page 6 and 7 of the specification of the instant invention [the applicants state that] "In alternative embodiments, as should be apparent to those skilled in the art, a different type of appropriate detachable fastener such as zippers, snaps, quick-releases and the like can be utilized
30 in place of interlocking hook and loop fabric." It is concluded within the Office Action that, therefore, in view of the teachings of Gilfillan and especially in view of the applicant's own admissions, that it would have been obvious to the skilled artisan at the time of the invention to modify the one end of Kelly's cot with the detachable fastener assembly in order to provide quicker disassembly of parts. The applicants respectfully disagree with this conclusion.

Kelly fails to teach any means for detachably coupling a support to a cot frame through connectors or fasteners as acknowledged in the Office Action. Further, Gilfillan fails to teach any type of fastener for detachably coupling a support to a cot frame, which while coupling to the cot frame, secures the support to the cot frame and forms a sleeve around a rail section of the cot frame. Gilfillan merely teaches a method for securing an edge of the fabric support to one tube of the cot frame by tying a sash through a plurality of grommets (Gilfillan, col. 1, line 59 - col. 2, line 1), which as illustrated in Figure 1 of Gilfillan, leaves the tube substantially exposed.

The applicants contend that the specific combination of references to Kelly and Gilfillan is improper. There is no suggestion, expressed or implied, within the prior art that would compel one to combine the threaded rope and grommet attachment means taught by Gilfillan with the stackable cot frame taught by Kelly. Further, combining the threaded rope and grommet attachment means taught by Gilfillan with the stackable cot frame taught by Kelly, would not solve one of the stated advantages of the instant invention, namely to provide quicker assembly and disassembly of parts.

Even if the combination of references to Kelly and Gilfillan were proper, fasteners and the fastener configurations of the instant invention, specifically as recited in the claims, are not taught or suggested by the reference to Kelly, Gilfillan or their combination. In contrast to the teachings of Kelly, Gilfillan and their combination, the present invention is directed to a combination of a cot frame, a flexible support and a configuration of the fasteners that allows the support to couple to the cot frame and form a sleeve around a rail structure of the cot frame. This combination of elements and features is considered to be patentable over the prior art.

Independent Claim 24 recites “ fastener portions along an edge of the flexible support such that the flexible support is removably and selectively coupled to the stackable frame structure by wrapping the flexible support around at least one of the plurality of rail structures and interlocking the fastener portions to form a sleeve around the at least one rail structure, wherein the at least one rail structure is substantially covered with the sleeve.” As discussed above, neither Kelly, Gilfillan nor their combination teach or suggest fastener portions are attached to the flexible support along an edge of the flexible support such that the flexible support is removably and selectively coupled to the stackable cot frame by wrapping around at least one of the plurality of rail structures and interlocking the fastener portions to form a sleeve around the at least one rail structure. For at least these reasons, the Independent Claim 24 is allowable over the teachings of Kelly, Gilfillan and their combination.

Claims **25-31** are all dependent on the Independent Claim **24**. As described above, the Independent Claim **24** is allowable over the teachings of Kelly, Gilfillan and their combination. Accordingly, Claims **25-31** are all also allowable as being dependent on an allowable base claim.

5 The Independent Claim **32** recites “a flexible support that removably couples to each side of the rectangular frame wherein the flexible support is removably coupled to at least one side of the rectangular frame structure by a detachable fastener including interlocking fastener portions for forming a detachable sleeve around the at least one side of the rectangular frame.” As discussed above, neither Kelly, Gilfillan nor their combination teach or suggest a detachable fastener including interlocking fastener portions for forming a detachable sleeve around the at
10 least one side of the rectangular frame. For at least these reasons, the Independent Claim **32** is allowable over the teachings of Kelly, Gilfillan and their combination.

Claims **33-38** are all dependent on the Independent Claim **32**. As described above, the Independent Claim **32** is allowable over the teachings of Kelly, Gilfillan and their combination. Accordingly, Claims **33-38** are all also allowable as being dependent on an allowable base claim.

15 Amended Claim **39** recites “a detachable fastener along a fourth edge for detachably coupling to the fourth rail section the detachable fastener comprises a two part fastener attached to the flexible support, wherein the rectangular support is secured to the fourth rail structure by wrapping a portion of the detachable fastener around the fourth rail section and securing the two part fastener to form a detachable sleeve.” As discussed above, neither Kelly, Gilfillan nor their
20 combination teach or suggest a detachable fastener to secure a flexible support to a cot frame, wherein the detachable fastener wraps around at least one side of the rectangular frame structure to form a detachable sleeve around the at least one side of the rectangular frame. For at least these reasons, the Independent Claim **39** is allowable over the teachings of Kelly, Gilfillan and their combination.

25 Claims **40-43** and **45** are all dependent on the Independent Claim **39**. As described above, the Independent Claim **39** is allowable over the teachings of Kelly, Gilfillan and their combination. Accordingly, Claims **40-43** and **45** are all also allowable as being dependent on an allowable base claim.

For the reasons given above, applicants respectfully submit that the new claims are in a condition for allowance. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (650) 833-0160 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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Dated: November 28, 2000

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CERTIFICATE OF MAILING (37 CFR § 1.8(a)):

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington D.C. 20231

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